IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE FIFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

and

THE HON'BLE SRI JUSTICE P.LAKSHMANA REDDY

WRIT APPEAL NO : 1300 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 16/07/2004 in WP NO : 9199 OF 2004 on the file of the High Court.)

Between:

J.C. Subbaiah, S/o. Suryanarayana Murthy, Department of Commerce and Management Studies, Andhra University, Visakhapatnam.

..... APPELLANT

AND

1 The Andhra University, Rep. by its Registrar, Visakhapatnam -
2 The Vice- Chancellor, Andhra Univeristy, Visakhapatnam - 530 003.l
3 Prof. Y.C. Simhadri, The Vice- Chancellor, Andhra Univeristy, Visakhapatnam - 530 003.l
4 Head of the Department, Department of Commerce and Management

Studies, Andhra Univeristy, Visakhapatnam - 530 003.

.....RESPONDENTS

Counsel for the Appellant: MR.M.SUDHIR KUMAR

Counsel for the Respondent Nos.1 to 4: DR.P.B.VIJAY KUMAR

The Court made the following :

JUDGMENT: (Per the Hon'ble Smt Justice T.Meena Kumari)

The appellant calls in question the legality of the order rendered by a learned single judge of this Court dated 16-07-2004 in W.P.No.9199 of 2004.

To appreciate the questions raised by the appellant before us, relevant facts may be stated:

The appellant is working as an Assistant Registrar in the Andhra University, Waltair. The 3rd respondent transferred him from the post of Assistant Registrar (Administration) to the post of Assistant Registrar (Department of Commerce). Again, he was transferred to A.U.Study Centre, C.S.R.Sarma College, Ongole on deputation, for which he made a representation to the authorities concerned. Further more, there is no post of Assistant Registrar at any of the A.U.Study Centres and there is no budgetary allotment to the said post. The 3rd respondent has no power or authority to transfer him and it is for the Executive Council which has to take a decision for transfer. Hence, the writ petition.

Controverting the allegations made in the writ petition, the respondents filed counter-affidavits.

Having gone through the entire material, the learned single Judge while observing that in pursuance of the decision taken by the University to deploy additional staff to the study centers to strengthen them and also to cater the needs of the students, the transfer of the petitioner has been affected, dismissed the writ petition.

At this stage, the learned counsel appearing on behalf of the University submits that the appellant herein has been promoted as Assistant Registrar.

Hence, we feel it appropriate if liberty is granted to the appellant to put forth his grievance, which he raised in the writ appeal, in the form of representation to the Executive Council.

The writ appeal is disposed of accordingly.

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T.MEENA KUMARI, J

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P.LAKSHMANA REDDY, J

05.07.2005

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To

1 The Andhra University, Rep. by its Registrar, Visakhapatnam - 530 003.
2 The Vice- Chancellor, Andhra Univeristy, Visakhapatnam - 530 003.
3 Prof. Y.C. Simhadri, The Vice- Chancellor, Andhra Univeristy, Visakhapatnam - 530 003.
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